

WP4
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Joanal E Silva

NAME OF PLAINTIFF(S)

v.

COMPLAINT

DOLLAR TREE STORES INC
Scott Reese (of Dollar Tree)

NAME OF DEFENDANT(S)

This action is brought for discrimination in employment pursuant to (check only those that apply):

☒

Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (amended in 1972, 1978 and by the Civil Rights Act of 1991, Pub. L. No. 102-166) (race, color, gender, religion, national origin).

NOTE: In order to bring suit in federal district court under Title VII, you must first obtain a right to sue letter from the Equal Employment Opportunity Commission.

☐

Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 - 634 (amended in 1984, 1990, and by the Age Discrimination in Employment Amendments of 1986, Pub. L. No. 99-592, the Civil Rights Act of 1991, Pub. L. No. 102-166).

NOTE: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file charges with the Equal Employment Opportunity Commission.

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Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 - 12117 (amended by the Civil Rights Act of 1991, Pub. L. No. 102-166).

NOTE: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a right to sue letter from the Equal Employment Opportunity Commission.

Jurisdiction is specifically conferred upon this United States District Court by the aforementioned statutes, as well as 28 U.S.C. §§ 1331, 1343. Jurisdiction may also be appropriate under 42 U.S.C. §§ 1981, 1983 and 1985(3), as amended by the Civil Rights Act of 1991, Pub. L. No. 102-166, and any related claims under New York law.

1. Plaintiff resides at:

56 North Hudson St (Flood Damaged)
 Temp @ 296 Harry L Drive (relatives) Johnson City
 Street Address City
 Broome N.Y. 13790 607-222-3064
 County State Zip Code Telephone Number

2. Defendant(s) lives at, or its business is located at:

500 Volvo Parkway Chesapeake
 Street Address City
 Northampton VA 23320 757-321-5000
 County State Zip Code Telephone Number

3. The address at which I sought employment or was employed by the defendant(s) is:

Mountain Mall plaza Broadway
 Street Address
 Sullivan Monticello N.Y. 12901
 County City State Zip Code

4. The discriminatory conduct of which I complain in this action includes (check only those that apply):

- ☐ Failure to hire me.
- ☒ Termination of my employment.
- ☐ Failure to promote me.
- ☐ Failure to accommodate my disability.
- ☐ Unequal terms and conditions of my employment.
- ☐ Retaliation
- ☐ Other acts (specify): _____.

NOTE: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court.

5. It is my best recollection that the alleged discriminatory acts occurred on: Oct 19 2006
Date

6. I believe that defendant(s) (check one)

- ☐ is still committing these acts against me.
- ☒ is not still committing these acts against me.

7. Defendant(s) discriminated against me based on my:

(check only those that apply and explain)

- [] race _____ [X] color white
- [] gender/sex _____ [] religion _____
- [] national origin _____
- [] age _____. My date of birth is: _____
Date
- [] disability _____

NOTE: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court.

8. The facts of my case are as follows:

Doing Job as trained
No reason for termination Everyone else has to have documentation
Got fired when protecting company
no prior neg acts in 5 years
Scott took my file
Was verbally harassed
Not the only manager on duty / was not front end manager that day
no one else was asked about item in question (Scott encountered
two others before me, he didn't ask them about item.

(Attach additional sheets as necessary)

Note: As additional support for the facts of your claim, you may attach to this complaint a copy of the charge filed with the Equal Employment Opportunity Commission, the New York State Division of Human Rights, or the New York City Commission on Human Rights.

9. It is my best recollection that I filed a charge with the New York State Division of Human Rights or the New York City Commission on Human Rights regarding defendant's alleged discriminatory conduct on: _____
Date

10. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct on: Feb 2007
Date

Only litigants alleging age discrimination must answer Question # 11.

11. Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct (check one),

☐ 60 days or more have elapsed.

☒ less than 60 days have elapsed.

12. The Equal Employment Opportunity Commission (check one):

☐ has not issued a Right to Sue letter.

☒ has issued a Right to Sue letter, which I received on March 2 2007.
Date

NOTE: Attach a copy of the Right to Sue Letter from the Equal Employment Opportunity Commission to this complaint.

WHEREFORE, Plaintiff prays that the Court grant such relief as may be appropriate, including injunctive orders, damages, costs, and attorney's fees.

Joanne E. Salwa
PLAINTIFF'S SIGNATURE

Dated: April 23 2007

The reason for my action against Dollar Tree is to clear my name. Being with the company for 5 years I have seen how Dollar tree acts. I have filed for discrimination because of race, do to being on management and seeing how hard it is to terminate an employee that is considered a minority. Even when it comes down to theft the company meaning trained DMS ~~is~~ gives more than the allowed amount of offenses. I have witnessed several of these being in the position I was in. ~~to~~ With this said another problem is that I knew of a situation when a cashier in the store I worked in was accused of stealing money (this person is not a minority) ~~but~~ could not be fired or anything because of no prior documentation. The cashier came to me personally complaining that they were accused of stealing. The person who accused this cashier is Scott Kase the same person that fired me with out reason and based on assumptions. With the problem with the cashier Scott had talk to me about the person before he accused this

Cashier, ~~the~~ this is how I know this happened. The day ~~in~~ I was terminated all I did was my job and made sure an employee paid for an open product. Enclosed is a description of how that day went. I was wrongfully terminated and knowing how the company works if I were a minority I would have gotten a warning. 5 years with J.T. I had a great performance record. (as told) The one thing that all new employees are told when hired is that the first 30 days is probation and the person can be let go for any reason or no reason at all. After that there has to be counseling forms ~~it seems~~ and proper documentation. This is how all D.M.S. work. I was under 3 different ones and they all go by this. I don't understand why after five years of reliability and the day I did my job and protected the company I got fired no reason, no warning, no documentation. The rule was to be 3 repeated offense in 3 months is enough to consider termination. I had no write ups. Also what I don't like is that Scott took my personal files. Not suppose to have store.

Also I wasn't the only manager on that day. There were two others and I know for a fact that Scott talk to them before me. I wasn't the front end manager, It was truck day and I had been in the Stockroom for hours - and at 12:00pm the front end manager had to get him in the office and the second manager (who was helping with the truck) had gone up front and when his partner returned to the Stockroom told me that Scott was in the office. Why didn't he get the other two about the item in question. I don't even know what time Scott got to the store.

I feel that Dollar Tree should have looked into the termination. I had been told by higher ups that I was an asset to the company. Bottom line the rules that we follow in for all employees were not followed in my case. I have a bad mark on my record I don't deserve and it's time that someone is aware has Dollar Tree since they don't prosecute for that we do anything to keep them away from the paper. I can't let a company with lots of money screw me. Having a termination on record does mean other companies look the other way. Causing money problems for me. Thank you,

Donna S. L. H.

Dollar Tree Stores Inc. employed me from October 1st, 2001 until October 19th, 2006. I was first hired as a part time cashier and with in about 5 months I was promoted to 3rd key assistant manager, then with in about a year I was promoted to assistant manager and within a few months after that I was asked to transfer to another area and store, in return I would get a raise and be promoted to Merchandise Manager. I accepted the offer. In this time I was under the direction of 3 different District Managers all who gave me high praises, above average reviews, which included raises as well as each D.M. offering me my own store. I refused due to problems with the first D.M. and also I did not want the added responsibility.

When I was first hired I was told that with Dollar Tree the first working 30days of employment with the company the employee is on probation and during this time the employee can be terminated at anytime for any reason or with no reason at all. After the 30days the employee will be written up with counseling forms. If the employee has the same offense 3 times in the allowed amount of time (3 months) then that employee is to be terminated. Each D.M. enforced this policy and this is also what I informed new employees during hiring and training. When it actually came done to terminating employees the D.M.'s seem to drag their feet and looked through the files and then would give the employee another warning and another chance this happened a lot with all D.Ms especially with the minorities, these employees it seemed would never get terminated. They kept getting another write up and another chance. From one of the D.M.'s I learned that Dollar Tree doesn't like it's name in the paper and doesn't want to get sued (not many companies do.) I was also told at one point that I was one of the highest paid Merchandise Managers and later told that Dollar Tree finds ways to get rid of Assistant Managers that don't want promotions. I do believe that this was the basis to get rid of me. The person that terminated me did so with out warning or reason, or written documentation. About a month or so before Scott terminated me, he was visiting our store and we were going over a lot of things, (the area the store is in has a very high crime rate, but Scott won't believe that we are not allowed to prosecute anyone stealing because Dollar Tree does not want to deal with it) on this same day Scott accused on of the cashiers of stealing money, even accused this person face to face. However, Scott said because there was no prior documentation the person could not be terminated, but was supposed to be watched. I later proved 3 times that this same person was stealing product, I had witnesses, however because nothing was documented the person could not be terminated.

When it comes to my situation, I enforced the rules, protected the company and was terminated. I had no prior warnings documentation or anything, and even the last DM told me twice that I was a needed asset to the company.

From the five years that I was with the company and saw how things are run I strongly feel that I was discriminated against due to being white. If I were of a minority race I would have been given some type of warning and told to get back to work. (The odd part is that all I did was enforce the rules)(I feel the bottom problem was that I was costing the company too much money because I did not want to promote to manager). Also on the day I was terminated I was verbally harassed by Scott as well. Along with these issues Dollar Tree does not follow it's own policy and procedures in the handbook which is according to the E.E.O.C. an exception to the at-will law. I now have a black mark on my name that I don't deserve which makes it hard to get employment else where, and with that comes financial problems. All this because I was a noble worker that went above and beyond what was asked.

S# 115-70-5590

Dear William J Van Ness

In response to the statement from said security officer there are two corrections to the statement. The day was not the 18th it was Thursday the 19th. I know this because it was truck day. Also the item mentioned was not a candy bar, it was an open bag of trail mix. There are witnesses to the item and the actual day. This is how the day went.

I arrived to the store at 6am. I had to get the stock room and the store ready to unload a truck of about 1000 cases (don't remember exact count at this point). The second employee scheduled to be in at 6am showed up at 7am. Together we prepared the store for the truck. I can't recall what time we actually began unloading the truck; it was before the store opened at 9am. From 7am to 11:40am I was in the stock room, first setting for the truck, and then directly unloading the truck. With this company, trucks are unloaded case by case. Most stores unload earlier than scheduled if the truck shows up early and ours did. At the beginning of any truck a member of management needs to receive the truck using the pda scanning gun (computer info about truck proving we received it.) Second employee that is a member of management (not the one in the statement) attempted to receive the truck, but kept getting the message that it could not be received, I also attempted and got the same results and said that I would have to go receive it in the office after we finished the truck. Due to payroll, I was told early by the store manager that I would have to call and cancel shifts for the rest of the day and week. We finished unloading about 11:40am the other two employees had to immediately go clock out due to payroll. I had asked the one member of management who helped unload the truck (still not the one in the statement) if they would pay for a bottle of water for me since this person was going to the front to clock out anyway. This person took my money and paid for the water then brought it back to me and at this point informing me that head of asset protection was in the office. (I don't know what time he arrived in the store.) I signed the paper work that the driver has for the truck, closed and secured all doors and went to the office. Also, at some point in the morning, we managed to lose the phone. (The opening store manager the assistant in the statement was due in 8:30am) About 11:40, I know the time because of the truck and I also personally have to be clocked out for my lunch before 12:00pm (NYS law 6hours of work need to take lunch). When I walked in the office I was carrying the scanning gun the bottle of water and an almost empty bottle of mountain dew it had one swallow in it. I said "hi" to Scott. He was working at the computer and I went to put the stuff down on the end of the desk. I still needed to find the phone, receive the truck in the computer and cancel shifts and clock out by 12:00pm. Scott acknowledged me and then asked "if there were receipts for everything?" I said "the mountain dew we don't sell and the receipt for the water was one the bottle" and then held it up for him. He then asked about a wreath and some ribbon sitting on the desk. I informed him that we were going to use the stuff to decorate the wreath for the store for the holidays, but we had to do the truck and that the stuff has to go back until we got the time again to decorate it. I took the stuff out of the office and he was fine with that. He then asked about a bag with stuff in it on the floor under one of the office windows. I said I don't know anything about it, it was probably left by a customer last night, and that's where it was left. He then pointed the bag of open trail mix on the desk and said "where is the receipt for that?" I said "I don't know who it belongs to" he said "I didn't ask you who it belong to I asked you where the receipt was?" I said "I don't know anything about it?" He then said "I bet it belongs to the person who owns that cup of coffee." I said something like "probably". Scott then asked me to open the safe so he could check it. I did and when I did there was a deposit in there from the night before. The rule with the company is that if the deposit can't be taken to the bank by two employees the night of it is to be left in the safe and taken in the morning. I had not checked the safe, on Thursdays I focus on the

truck. I told him I didn't check the safe this morning and that I couldn't have taken it first thing because the other employee didn't show up for work until 7 and then we had to get ready for the truck. I told him I would make sure it got taken to the bank. He didn't comment either way. I then asked him if it was all right to use the computer, and informed him that we couldn't receive the truck with the gun and I had to go through the computer. He seemed a little interested and then said that I could use the computer, and he left the office. I got the phone numbers to the employees that I had to cancel and took care of that, still missing phone so I had to go to the register to call. When I got done I notice Scott checking things out (doing his job). I went back in the office to receive the truck. When I tried it wasn't listed in the computer. I double checked. The truck was not in the system. So the almost 30 thousand dollar truck that we just unloaded in the store technically doesn't exist. This is a problem. I wasn't sure what to do about this. It never happened before. Scott was in and out of the office. I was going to ask him what to do about it. The last time he was in the store he told me if there was a problem with the truck let him know. I was about to go find him when the assistant manager (in statement) came in walked over, picked up the trail mix and said she had to pay for it. (Now this is the first time I saw or spoke to this person who had been there since 8:30 am it's now almost noon. The Policy is, all purchases need to be witnessed and signed by another member of management. I made sure she paid for the mix and reminded her to pay before opening. I signed the receipt and the employee put the product with signed receipt back next to the coffee and we both went about what we were doing. I also told her that I would be clocking out for lunch soon. She went back to what she was doing and I went to find Scott to ask about the truck. When I found him, he was looking for an application to give to someone that had just asked to fill one out, he couldn't locate one, so I helped him and as I did I mentioned to him that I might need his assistance and told him that the truck wasn't listed in the computer. He ended up going into the office. I found the applications, and then went back to the office to show Scott the problem.

I showed him the receiving list in the computer and that the last truck listed was the prior week. I asked him what I should do about it, he said almost sarcastically "well that's odd I don't know call inventory control I guess." So now I need to find the right department to call, still no phone. I attempted to locate it and wasted a lot of time looking for it. I had to stop and clock out for lunch. I did, and then I went to the stock room to eat lunch. (The break area is in the stock room), I ate my sandwich and waited for the half hour to pass. (To bring up the deposit in the safe, I had asked the assistant manager that was in at 7am if she would take last night's deposit to the bank, she said she would. When I was looking up the numbers to cancel the shift she came in and asked for the deposit, because she was leaving, I said yeah it's in the safe. She said "I'm not putting my hands in there I'm not signed on the safe, Scott chuckled at that, he was sitting in a chair at the desk somewhat facing both the desk and the safe that was to his right side) I spent more time looking for the phone, asked the other assistant (from statement) to come out back with me to see if maybe it got thrown in the dumpster, I don't open the back door without a witness. We went out to check the garbage and cardboard dumpster, Scott was in the hallway when we were looking, I checked to see if he was watching us, he did glance. I gave up because I didn't feel like looking through garbage for a phone. (My day ends at 2pm) I did end up clocking out late for lunch because I couldn't clock back in until around 12:45pm. I still have a truck partially unloaded in the store, we planned out to work chemicals and pet which are crowding the store, but the crew was cut. I now still have to find out how to fix the problem with the missing truck, get the freight either on the shelves or in the stockroom, make sure the other assistant(in statement) gets her lunch which she took about 1pm(she leaves on her lunch), leaving me as back up cashier. I also had to do the damages for the day (to be done daily, I put them off because of the truck, but I had to get them done before my shift ended) we were starting to get busy. I ended up running from the register to the hallway to do damages and at one point the cashier had an error I had to fix. It didn't take long to do damages (more time spent going back and forth.) I eventually ended up back

up front still didn't know what to do about the truck situation. Scott was in and out of the office and in and out of the store. I attempted to try to put chemicals up but it was too busy and the shelves needed to be reset, plus I got called for back up again. Staying close to the front I put up a case of turkey basters. (At one point in the middle of all this the D.M. called the store and asked for Scott.) As I was hanging up the basters our area manager came in and walked to the hallway came back up I said "hi" she said "hi" and she went to the office. I attempted again to do something with freight sitting on the floor. I'm responsible for it and almost out of time, I didn't know where to start. Too much was going on and I still didn't fix the truck issue, almost 30 thousand dollars sitting in my stockroom and it doesn't exist. Within a minute if that, after the area manager went to the office I got paged to the office. When I went in, Scott, the area manager and the assistant manager were in there obviously talking about the trail mix since Scott was holding it. I didn't even know the assistant was back from lunch. Scott was sitting in a chair, the area manager was sitting in front of the computer, the assistant was half sitting half leaning on the desk, and I stood next the closed office door. Scott looked up and over at me I was to his left and said "I asked you earlier who this belonged to"? I wanted to say no you asked me where the receipt for that was. However I said "yeah and I told you I didn't know." I then informed him that the assistant came in the office earlier and said that she had to pay for it and she did. I witnessed it. Signed the receipt and reminded her that she is not supposed to open anything before paying for it. As he looked at his watch, Scott replied with something along the line of "you couldn't find the time to tell me". I said no, with everything that I had to take care of along with him coming and going I hadn't gotten back to that (I was more worried about 30 thousand dollars.) I was planning on telling him before my shift ended and I told him that. He had a disbelieving look on his face. I said "Scott, believe me or not, I don't care, but I was going to tell you." The area manager was sitting witnessing all of this not saying a word. (Not really anything to say) The assistant manager was trying to defend herself, and Scott and her went back and forth, at one point Scott cut in and said that this was not the first time this had happened, the assistant snapped "what" to him more surprised that he said this and denied the allegation. Scott cut her off saying "if we were in Judge Wapner's court who do you think he would believe you or me?" Scott was confident and said "he would be the one the judge would believe". The assistant and Scott went back and forth. Scott kept asking what seemed like to everyone "if we saw something wrong with this". He kept repeating do you see what is wrong with this, he said to the area manager are they not getting this, is it me or are they thick. I informed Scott again that I was planning on telling him, and that I had made sure that the item was paid for and I had commented to the assistant about the purchase policy. During one of Scotts do you see why this is wrong the assistant stated that she didn't think she should lose her job over this, Scott replied with "What? You don't think you should lose your job over this?" The assistant responded with "no I don't." She was going to go on but Scott cut her off and said "well you just did". The assistant said "What" and Scott said "you just lost your job turn in your keys and leave the store." The assistant gave her keys to the area manager and left. Scott got up from the chair he was sitting in and took to standing where the assistant had stood during this. He slid the chair he had been sitting in toward me and said "have a seat." I said "no thanks I want to stand" he seemed not happy with that, almost waiting for me to change my mind. I said, "I don't sit much and told him that I had a sore back. I got hurt a couple weeks ago when I was moving boxes in the stock room." I stayed where I had stood the whole time we were in the office (area manager still sitting in chair by computer to my left.) Scott then said to me "I want to see how you handle this." I said "see how I handle this"? He said "yes" then yet again asked "do you see something wrong with this". I said again, I know she should have paid for it before opening it. I signed the receipt made sure it was paid for and reminded her of the policy to pay before purchase. (During the back and forth between Scott and the assistant and when Scotts was talking to me he did make some comment that I can't quite recall, I couldn't remember it even after he said it. It had to do with something about if we let

customers do this." (We have been trying for a long time to get Scott to believe that Monticello has a crime problem and that even the police said to move out of town). I responded to his comment about the customers stating that the customers do it everyday, but they usually bring empty packages to the register to be paid for, or the customers leave the empty or half eaten package packages all over the store, or they just plain out steal it right out the door.

I said, "I know, she's an employee, and she should have paid for it first before beginning to eat it, but I made sure she paid for it and I was going to tell him but I was still focused on the truck issue. I told him I made sure she paid for the dollar item, (I wasn't covering as (Scott put in his statement) for anyone. I wasn't even sure the assistant made it to the store at 8:30am. I don't know what time she even pick up the bag of mix. I didn't come up from the stock room until after 11:40am. I didn't even know she was in the store until she came in and said she had to pay for the mix. Scott didn't respond either way to what I had said. He did ask me "did you make a deposit." I was confused by the question (usually with the term make a deposit we think of actually putting one together which is usually done at closing.) I said, make a deposit?" He said "yeah did you make a deposit?" I was still confused. He then said "the one that's in the safe." Now, knowing what he is asking I said "you mean did I take the deposit." He said "yeah" (or something like that.) I said, "Yeah it was taken earlier, you were in the office and saw me give it to the other assistant. Scott said "No I didn't." I wanted to argue the fact, but decided not to. I said, oh! All right, well it was taken to the bank earlier. (The area manager then asked why there was a deposit in the safe, I told her it was from last night and that I didn't have the chance to take it at 6am because the other person was late and no one was there to follow me. She asked what time the opening manager came in I said 8:30. She then said well she should have taken it when she got here, and said she would ask her about it, but then remembered the girl just got fired and the subject was dropped.) Scott left the office and headed in the direction of the back hallway pushing buttons on his cell phone. I waited in the office with the area manager wasn't sure what was going on. I was supposed to be done at 2pm. I was looking at the schedule to see what needed to be fixed with the open shift now that the assistant was gone, then I realized and stated that I was going to have to stay until 4pm when the closing assistant comes in, having to cover the assistant's shift. Then I said "oh man her drawer she left without cashing out her drawer." So the area manager had me go with her to pull it from the register and witness her cashing out the drawer. I was standing facing the desk; my back was to the door, when Scott came back in the office. (He was gone for 10 maybe 15mins if that) He stopped at my left side, and while looking down doing something with his cell phone he said "Joanne you're terminated too" then he walked over to my right side and did whatever he was doing. I said "ok." I handed my keys to the area manager and said "you can keep the key chain." She said "did you pay for it?" I said "yeah" and she said "then you have to take it" and I did. Then I ended up standing at the desk. The area manager on my left and Scott on my right and I said yeah I would have been terminated soon anyway, (I was warned after our last inventory which was my second in this store that if we have another bad inventory that myself and the along with a different assistant we would be terminated.) I have been fighting to prove that the customers steal a lot everyday). I had to cash out my till and I updated the area manager as to what was going on, informing her of the missing phone, the problem with the truck, cutting shifts and whatever else, I also helped her find the instructions on how to change the combo on the safe. In doing all this she said "wow I didn't think it would be this bad." The area manager was not able to really speak. When I finished filling her in we shook hands and she said "be good out there"! I then left the store.

Some facts to know about, I was now a week past due for a review and possible raise, Everyone knew I didn't not want to be a store manager and wanted to stay as freight manager, I didn't want the responsibility for the whole store. I was informed in a past year that the company doesn't like that.

In five years I followed the rules. Ask anyone who worked in the stores I was in. I went above and beyond duties. I came in on days off, stayed longer hours. I never had a drawer be off more than a few cents either way.

I find it funny that I got fired for doing my job. I made sure the item was paid for and warned about the rule. In the last 5 years I was taught and reminded many times about dollar trees termination policy. There has to be 3 repeat offences of the same violation in 3 months with written documentation before firing will be considered. I had just proven 3 times in a row, setting traps that an employee was stealing from the store, was told that nothing could be done about it, even though I had physical proof and witnesses we still couldn't accuse. The person is still an employee. There are and were other's that have many write up or counseling forms and still work there. I also warned them of another cashier stealing from the register, now she is promoted to assistant manager. Not once was I told what I actually did wrong and why after 5 years with no prior problem did I get fired on the spot for during my job. Every other employee must be written up warned several times before it's considered a problem. This is not fair. I feel I was wrongfully terminated and I have a bad mark that I don't deserve. What? Am I just supposed to assume I know actually what part was wrong? Scott never discussed or brought policies to the table. Up until I got this statement I hadn't known what rule I broke that got me fired. I was never told anything. I didn't get a warning, also I was told the next day that my file is missing from the store, I know that Scott was going through it, it is supposed to be in the store not with him. (Even the assistant manager that was fired the same day had several write ups for other problems and she was still there, given yet another chance. Even past employees that were terminated or quit their files are still in the store. Why is mine gone? (my file consisted of several e-mails dealing my paychecks being wrong) one accident report from a few years back, a couple reviews before they were done on the computer, one page signing for my keys, two write ups from a past D.M. that were never carried out. One was for not filling an isle when assigned to it(I responded on it that you can't fill an isle when the company doesn't have anything for that isle in stock, this write up was never processed and the other stating that I wasn't doing tasks assigned when I actually was and this one also was not carried out. (These two tie into another past problem if interested ask me and I will tell you about them.)

I am not happy at how this all happened, I've been made to look bad for following the rules, and doing my job and protecting the company. I would like to file a suit with Scott and the company. No one can help me with this.

So that is how the day went and some other facts. Any questions please call me.

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: Joanne Salva
56 N. Hudson Street
Johnson City, NY 13790

From: New York District Office - 520
33 Whitehall Street
5th Floor
New York, NY 10004



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

520-2007-01162

Vanessa Guest,
Investigator

(212) 336-3757

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.



Having been given 30 days in which to respond, you failed to provide information, failed to appear or be available for interviews/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.



While reasonable efforts were made to locate you, we were not able to do so.



You were given 30 days to accept a reasonable settlement offer that affords full relief for the harm you alleged.



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

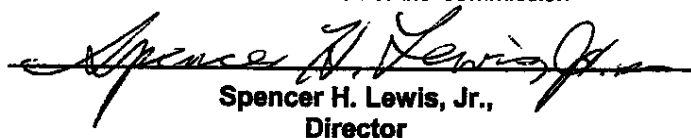
- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred **more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission


Spencer H. Lewis, Jr.,
Director


(Date Mailed)

Enclosures(s)

cc: DOLLAR TREE STORES, INC
Personnel Director
500 Volvo Parkway
Chesapeake, VA 23320